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Attorney for Plaintiff WELLLIVING
CORPORATION, a California corporation
dba MVP INTERACTIVE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WELLLIVING CORPORATION, a
California corporation dba MVP
INTERACTIVE SPORTS,

Plaintiff,

vs.

BUDDY CARDIEL, an individual, LISA
WILEY, an individual, POWEREDGE
BASEBALL, and DOES 1-10

Defendants.

Case No: CV 09-5101 MEJ

The Honorable Maria-Elena James

**REQUEST FOR DISMISSAL AS TO
DEFENDANT BUDDY CARDIEL
WITHOUT PREJUDICE and
~~PROPOSED~~ ORDER**

ORDER CLOSING FILE

IT IS HEREBY REQUESTED by Plaintiff to this action, WELLLIVING
CORPORATION, a California corporation dba MVP INTERACTIVE SPORTS, through their
counsel of record that the above-captioned action be and hereby is dismissed without prejudice
as to Defendant BUDDY CARDIEL only, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules
of Civil Procedure. Each party to waive its rights to appeal and bear its own costs and attorney's
fees.

Date: April 8, 2010 Plaintiff's Counsel


Signature

Plaintiff's Counsel Ray K. Shahani, Esq.
Printed Name

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1 IT IS HEREBY ORDERED THAT the above-captioned action be and hereby is
2 dismissed as to Defendant Buddy Cardiel only without prejudice pursuant to Rule 41(a)(1)(A)(ii)
3 of the Federal Rules of Civil Procedure. The parties will bear their own attorney's fees and costs
4 of suit. As all defendants have been dismissed, the Clerk of Court shall close the file.

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6 Date: April 12, 2010

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Honorable Mariana James